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09/661,589	09/14/2000	Blake Earl Hayward	P3953	9165

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EXAMINER

BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
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2155

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/661,589

Applicant(s)

HAYWARD, BLAKE EARL

Examiner

Benjamin R. Bruckart

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29, 31-34 and 36-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29, 31-34, 36-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Detailed Action

Claims 29, 31-34, 36-38 are pending in this Office Action.

Claims 29, 31, 33; 34, 46 and 38 are amended.

Claims 1-28, 30, 35 remain cancelled.

Response to Arguments

Applicant's arguments filed in the amendment filed 6/20/07 have been fully considered but are moot in view of new grounds of rejection.

Applicant's invention as claimed:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 29, 30-34, 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 6,496,855 by Hunt et al.

Regarding claim 29, the Hunt reference teaches

a system for fraud prevention by authenticating a user at a first Internet site (Hunt: col. 2, lines 47-51 shows a user is verified; col. 4, lines 11-22, 30-41 teach protecting data for preventing fraud), comprising:

an Internet-connected verification server for performing the authentication (Hunt: col. 2, lines 36-40; the server); and

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an Internet-connected appliance operable by the user for sending a request for authentication to the first Internet site (Hunt: col. 1, lines 56-61; the user; col. 5, lines 1-10; RAS);

wherein the user specifies sites not associated with the first Internet site known to the user as capable of accepting the user's username-password pair included in the request for authentication and a username-password pair for the user (Hunt: col. 2, lines 47-60; col. 6, lines 48-52; Fig. 1), and the server, in response to the request causes automatic navigation to sites and attempts a login on behalf of the user with the username-password pair, successful login at the sites allowing authentication of the user at the first Internet site (Hunt: col. 4, lines 1-5, 23-26).

The Hunt reference does not explicitly state a second and third Internet site.

However, the Hunt reference does address the plurality of Internet sites that a user registers and authenticates with as a problem in which the invention is overcoming (Hunt: col. 1, lines 21-23, 30-35) in order to protect user data and privacy with the growth number of sites a user registers with (Hunt: col. 1, lines 21-54).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of fraud preventing by Hunt to include a second and third site that a client wishes to login as taught in the background of Hunt in order to protect user data and privacy with the growth number of sites a user registers with (Hunt: col. 1, lines 21-54).

Regarding claim 31, the system of claim 29, wherein the verification server is a first server, and the request is sent from the appliance to a second server on the network, which forwards at least a portion of the request to the first server, and the first server returns an indication of verification after causing the navigation and log-in attempt to the second and third sites provided by the user (Hunt: col. 2, lines 36-60; first server is target web server; second server is registration agent server; col. 8, lines 39-42).

Regarding claim 32, the system of claim 29, wherein all or a portion of the request is compared against stored user profile data for verification purposes (Hunt: col.3, lines 31-40; col. 2, lines 47-51).

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Regarding claim 33, the system of claim 29, wherein the request comprises at least three or more user specified network destination sites and username-password pairs for the sites, and authentication is a number based on log-in results (Hunt: col. 6, lines 48-52; col. 8, lines 43- col. 9, line 15; Fig. 1).

Regarding claim 34, the Hunt reference teaches

a method for fraud prevention by authenticating a user at a first Internet site (Hunt: col. 2, lines 47-51 shows a user is verified; col. 4, lines 11-22, 30-41 teach protecting data for preventing fraud), comprising the steps of:

(a) accepting by a server an authentication request from the user comprising at least a plurality of Internet sites known to the user as capable of accepting the user's username-pair for each site and the username-password pairs are included in the authentication request from the user (Hunt: col. 2, lines 47-60; col. 6, lines 48-52);

(b) causing, by the server, automatic navigation to the sites and an automatic login attempt on behalf of the user with the username-password pairs (Hunt: col. 4, lines 1-5, 23-26); and

(c) reporting an indication of authenticity of the user according to success or failure of the login attempts (Hunt: col. 8, lines 39-42).

The Hunt reference does not explicitly state a second and third Internet site.

However, the Hunt reference does address the plurality of Internet sites that a user registers and authenticates with as a problem in which the invention is overcoming (Hunt: col. 1, lines 21-23, 30-35) in order to protect user data and privacy with the growth number of sites a user registers with (Hunt: col. 1, lines 21-54).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of fraud preventing by Hunt to include a second and third site that a client wishes to login as taught in the background of Hunt in order to protect user data and privacy with the growth number of sites a user registers with (Hunt: col. 1, lines 21-54).

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Regarding claim 36, the method of claim 34 wherein the server is a first server, and the request is sent from the appliance to a second server on the network, which forwards at least a portion of the request to the first server, and the first server returns an indication of authenticity after causing the navigation and log-in attempt at the sites provided by the user (Hunt: col. 2, lines 36-60; first server is target web server; second server is registration agent server; col. 8, lines 39-42).

Regarding claim 37, the method of claim 34 wherein all or a portion of the request is compared against stored user profile data for verification purposes (Hunt: col. 3, lines 31-40; col. 2, lines 47-51).

Regarding claim 38, the method of claim 34, wherein the request comprises three or more sites and username-password pairs for the Internet sites, and authentication is a number based on log-in results (Hunt: col. 6, lines 48-52; col. 8, lines 43- col. 9, line 15).

Remarks

Applicant has amended the claims to cite a second and third Internet sites instead of a plurality of more than one Internet sites.

The examiner maintains the art but changes rejection a 103(a) to address the obvious modification from Hunt. The examiner contends the prior art still reads on the limitations as claimed because making a plurality of sites is still addressed in Hunt. Applicant presents arguments stating a navigation request is sent to the navigation server hosted by the same service provider and logs in at each site using sensitive data, scores assigned to login successes and a third party server. These arguments are not reflected in the claim language and are given no weight.

Further applicant's naming of certain devices in the arguments to denote purpose and use do not translate well to broad and unclear names of the first and second and third servers as well as Internet sites.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart
Examiner
Art Unit 2155

BRB

[Signature]
SALEH NAJJAR
SUPERVISOR/PATENT EXAMINER